



RESTORATIVE
JUSTICE SERVICES

2018

ANNUAL REPORT

Providing Restorative Responses to Crime

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Welcome

Hello and Welcome to the Restorative Justice Services Annual Report for 2018.

This report outlines the major activities of the work of the organisation within the context of the delivery and development of our two main restorative justice programmes, Victim / Offender Mediation and The Reparation Programme, as well as our pilot programme, the Restorative Road Safety Programme.

Our casework in 2018 was delivered in close cooperation and association with our colleagues in the Probation Service, our community volunteers, Crime Victims Helpline volunteers and members of An Garda Síochána. All play an integral role in the day to day delivery of our restorative justice programmes as well as significantly contributing on matters of governance, practice policy and programme development. We remain committed to this partnership model of service delivery, which has been in place almost 20 years.

You will note in this 2018 Report that the number of referring courts and case referrals have increased, continuing the trend of recent years. We greatly appreciate the growing interest and support of the judiciary and we are pleased to be of service to the work of the courts.

The Probation Service led by Director, Mr. Vivian Geiran, provide the necessary funding required by our service, as it has done since 2000. In 2018 additional funding was also provided for our new premises at Marshalsea Court on Merchants Quay. We greatly appreciated the support and assistance provided by Joseph Keaney of the Probation Service, over the duration of that project.



RJS Chairperson
Maria Flynn

We are delighted to be in our new premises and located in the heart of Dublin City, yet we were sorry to leave Tallaght, our spiritual home since we were established in 2000. It was there we first tentatively practised Restorative Justice and forged what were to become long lasting constructive and valued working relationships with colleagues at Tallaght District Court, the Tallaght Probation Office, Tallaght Garda Station and the volunteers of the local Victim Court Support Services. We thank them all for walking with us at the very start of our journey.

On behalf of my fellow RJS Directors I want to acknowledge our RJS team led by our Manager, Peter Keeley, Administrator; Edel Bracken, Caseworkers; Marie Finan, Sarah Winston, Karen Daly, Callie Zinsmeyer and Niamh Cunningham and our Administrative Assistant; Hannah McGarry. Their hard work, dedication and commitment to the work of our organisation is greatly appreciated.

Finally, I thank all those members of the community who put their trust in this organisation and participate in one of our restorative justice programmes as a way to address the harm caused to them by crime.

Maria Flynn

Chairperson

Restorative Justice Services

Introduction

Our organisation was established to provide those in our society affected by crime; victims, offenders and communities, the option of participating in restorative justice to address the harm caused. Through the use of statistical data, narrative and testimony, this annual report will give the reader relevant information and clear insight into how we go about our work, as well as identifying some of the benefits and challenges associated with working within in a restorative context.

The report also provides evidence of an upward trend in court referrals to RJS over the period 2016 – 2018, confirming increasing interest, support and confidence amongst our Judiciary for the use of restorative justice within mainstream criminal justice. The particularly noteworthy number of referrals in 2018 saw additional community volunteers recruited and trained to assist with the Chairing of the over 125 Reparation Panel meetings held during the 2018 calendar year. The Probation Service and An Garda Síochána responded positively to this growth in referrals by increasing the number of their respective personnel available to sit on the Reparation Panels. Crime Victims Helpline volunteers similarly responded to the growing demand for their input into the restorative process, meeting with individual offenders to raise their awareness and understanding of how their offending behaviour can impact on victims, families and communities.

As always, the RJS Casework and Administrative team rose to meet all challenges that came their way in 2018, including managing to maintain seamless continuity of service during the physical move of



RJS Manager
Peter Keeley

the service from Tallaght to Marshalsea Court. Their energy, positivity, goodwill and commitment to their respective roles and the broader work of this service is fully acknowledged and greatly valued.

2018 was a significant year on the restorative and criminal justice landscape both at home and abroad. The Criminal Justice (Victims of Crime) Act 2017 commenced in November 2018. Part 2 / Section 7 of the Act, confirms a victim's right to information on Restorative Justice at first point of contact with An Garda Síochána. The Probation Service established its own Victims and Restorative Justice Unit. We wish them well in their work and look forward to developing a close working relationship with the Unit team members.

Further afield, the Council of Europe (COE) Recommendations on Restorative Justice in criminal matters were adopted by the Committee of European Justice Ministers in October 2018. These recommendations significantly progress and build on the 1999 COE recommendations and aim to encourage EU member states to further develop and use restorative justice with respect to their criminal justice systems.

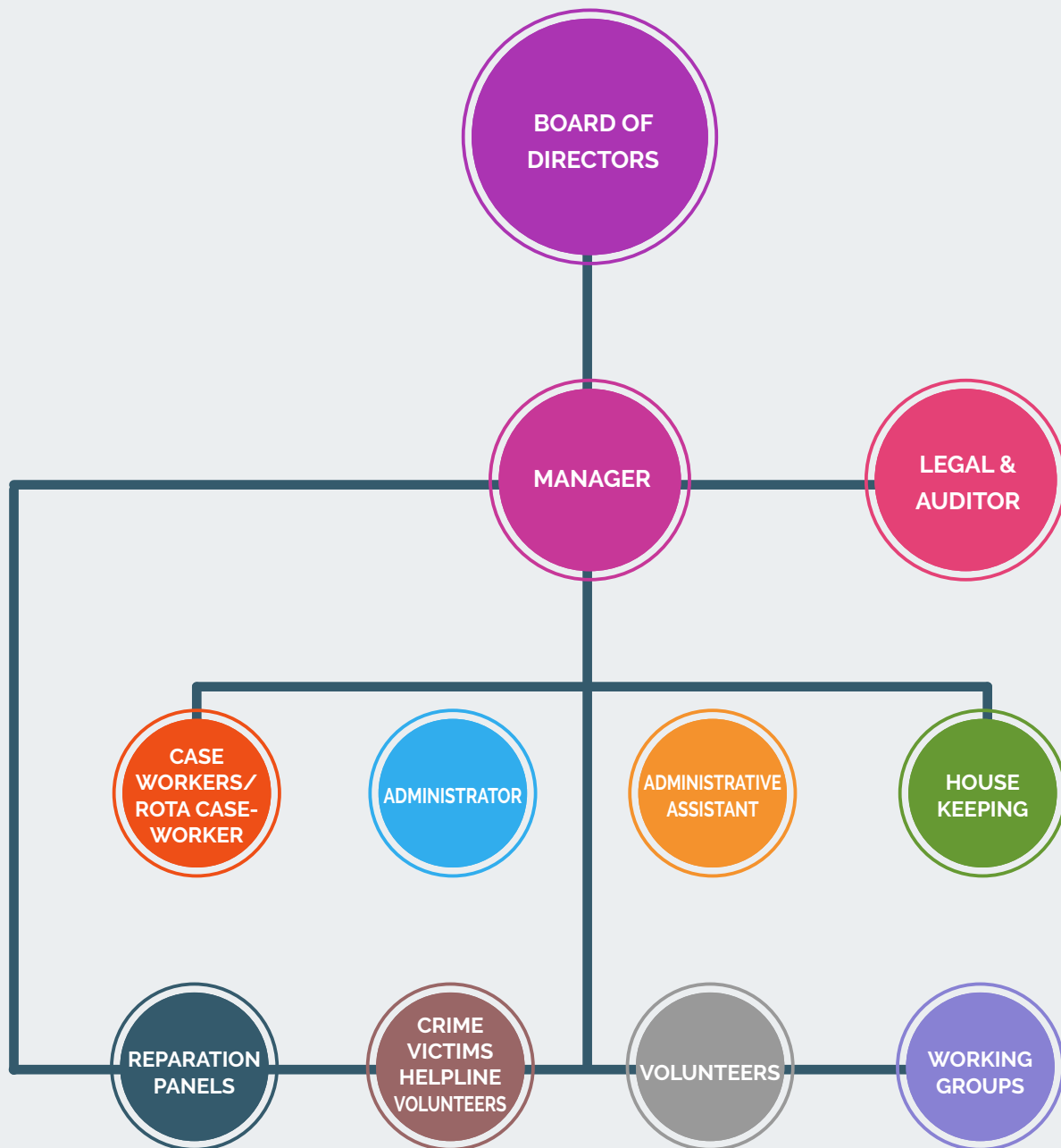
For its part in 2018, RJS initiated a consultation process with our stakeholders, partners, personnel and team to put in place a 4 year strategic plan that will ensure the organisation is appropriately structured and resourced to meet the many challenges ahead. I hope you enjoy reading our 2018 Annual Report and look forward to your comments and observations.

Peter Keeley

Manager

Restorative Justice Services

Organisational Structure & People



Organisational Structure & People



In attendance at an RJS General Meeting of volunteer Panel Chairs, RJS Team and Board Members. , L-R, Case Worker Niamh Cunningham, RJS Chairperson Maria Flynn, Caseworker Marie Finan, Panel Chair Angelene Ashworth, Board member and Panel Chair and Board Member Kieran O'Dwyer, Panel Chair Mary Shine Thompson, Probation Service & Board Member Darren Broomfield, Panel Chair PJ McGowan.



Caseworker
Marie Finan



Caseworker
Callie Zinsmeyer



Administrator, Edel Bracken and
Administrative Assistant, Hannah McGarry



Caseworker
Karen Daly



Caseworker
Sarah Winston



Reparation Panel Members, Gda. Colm Reid, volunteer Community Chair, Rosalind Duke, Probation Officer, Anna Gallagher

Restorative Justice Services - What We Do

Restorative Justice Services was established in 2000 to work in partnership with the Probation Service, An Garda Síochána, victim advocate organisations and the community sector, to develop and provide restorative justice programmes in order to ...

- offer victims the opportunity to communicate in a safe non-threatening way with the offender with a view to receiving an apology, reparation, further information on the offence and its motivation, seek guarantees on future safety and commitments on future behaviour.
- offer greater levels of participation in the criminal justice system to members of the community affected by crime.
- deter members of the community from (further) offending by raising their levels of awareness and understanding with regard to the implications and effects of their behaviour on their victims, themselves, their respective families and the wider community.
- promote partnership between all sectors working in the criminal justice system, in particular encouraging a greater level of involvement and sense of ownership of the criminal justice system amongst the community sector. We promote our work and those of our partner agencies by way of seminars, annual reports, website, information leaflets, education and training.

Working in Partnership

Restorative Justice Services is a restorative justice agency managed by a partnership of stakeholders in the criminal justice system. We provide voluntary, safe, non-threatening, facilitated restorative justice programmes for people who have been affected by crime; victims, offenders, families and communities.

Our Partners and Stakeholders

- The Probation Service
- Crime Victims Helpline
- An Garda Síochána
- Community representatives

... all play an integral role in the organisation, contributing to the delivery of the restorative programmes on a day to day basis.

Our work is mainly referred to us from the Courts before a formal sanction is imposed. The Courts are a named partner on our information leaflets and are consulted with regard to many aspects of our service delivery models, programmes and any review thereof.

Arrange of other Community, Voluntary and Statutory organisations have contributed to the work of this service in 2018, through the provision of education, awareness raising and volunteering opportunities for court referred clients, e.g., HSE, Dublin Town, National Rehabilitation Hospital, Headway, Teach Mhuire, Sisters of the Divine Mercy, Tallaght Probation Project, Retailers Against Smuggling, National Museum, Greystone Tidy Towns, Dun Community Addiction Team, B Community Addiction Team, Westmeath Volunteers.



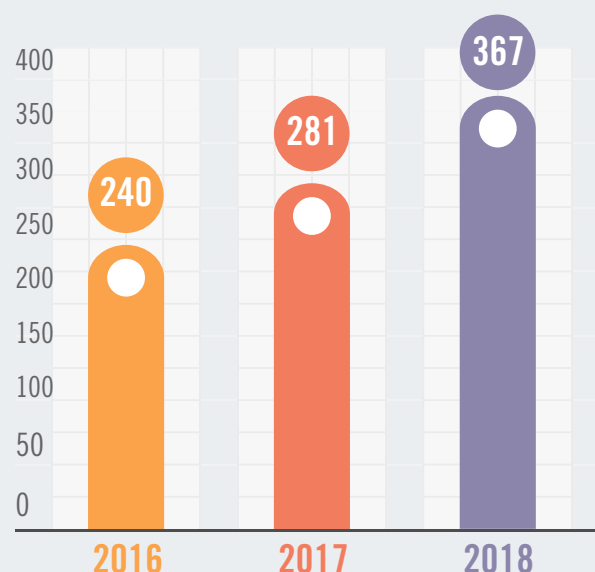
Reparation Panel Members, volunteer Community Chair, Claude Delaney, Probation Officer David Quinn, Gda. Linda Crennan



Sean Hughes H.S.E. Rehabilitation Integration Officer, meeting with court referred clients to discuss substance misuse. Attendance at this meeting would have been an agreed action within the context of their individual Reparation Contracts.

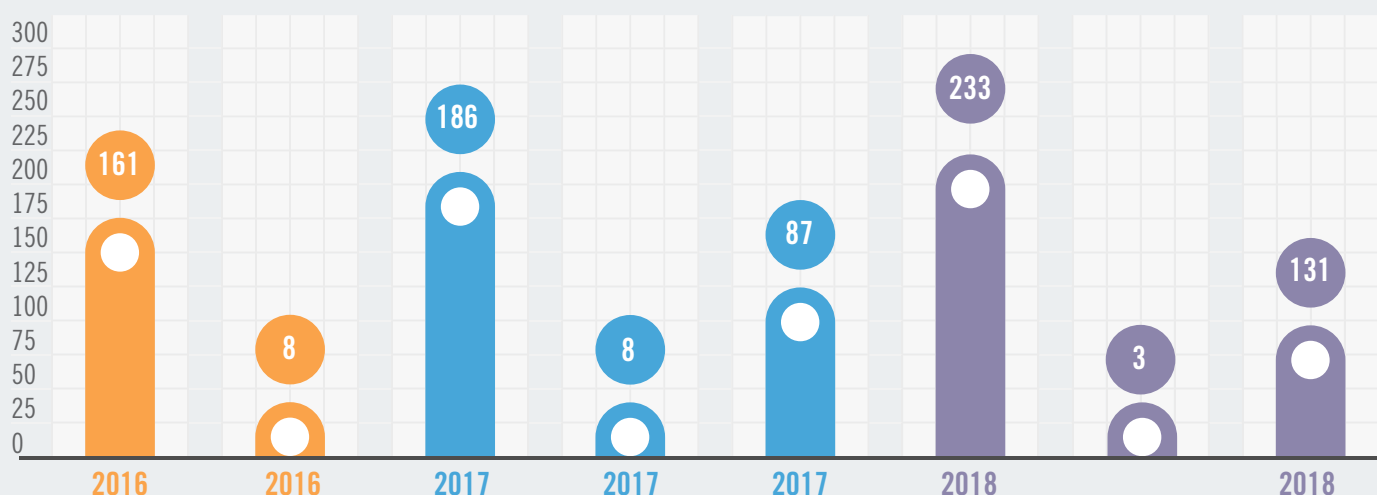
Case Referrals Comparative 2016 - 2018

2016 Case Referrals	240
2017 Case Referrals	281
2018 Case Referrals	367

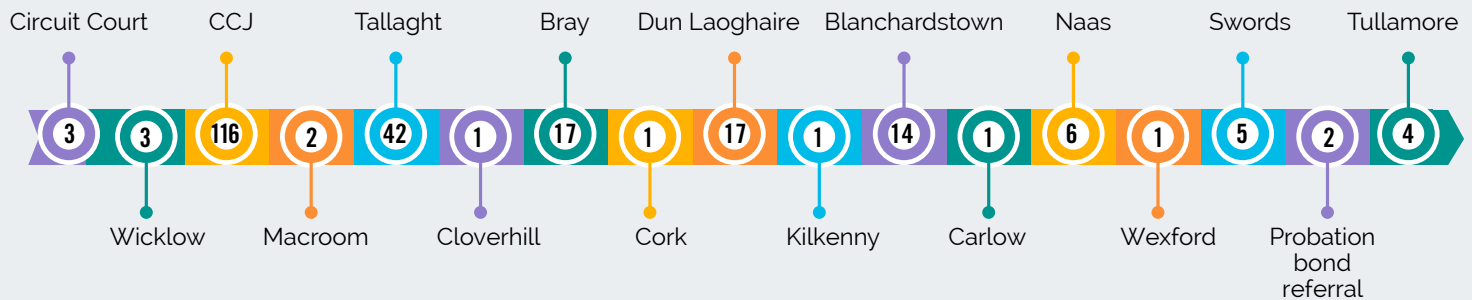


Breakdown of the 2016 - 2018 Referrals

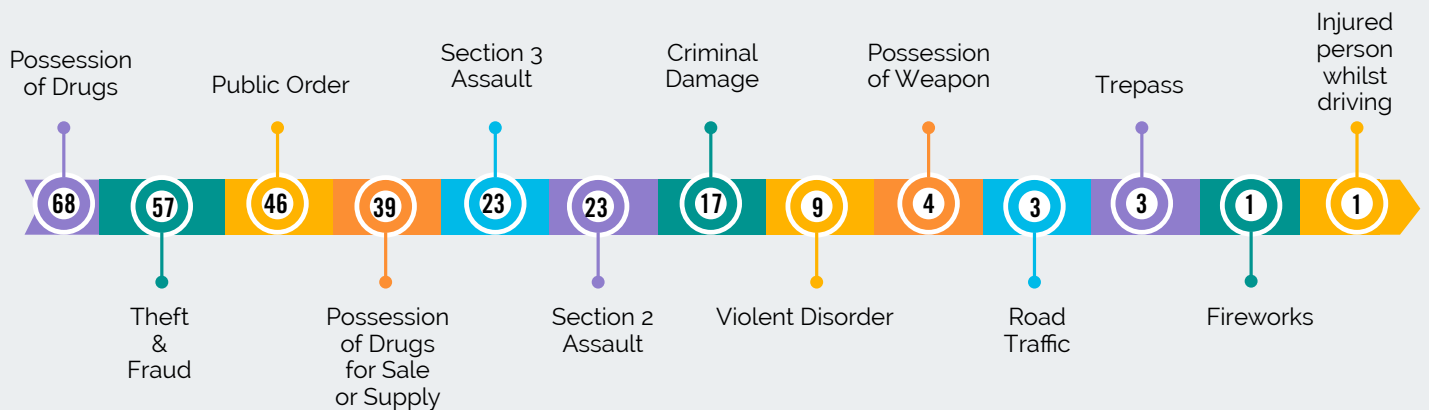
2016 District Court Referrals	161
2016 Circuit Court Referrals	8
2016 Restorative Road Safety Programme	71
2017 District Court Referrals	186
2017 Circuit Court Referrals	8
2017 Restorative Road Safety Programme	87
2018 District Court Referrals	233
2018 Circuit Court Referrals	3
2018 Restorative Road Safety Programme	131



Source of 2018 Court Referrals

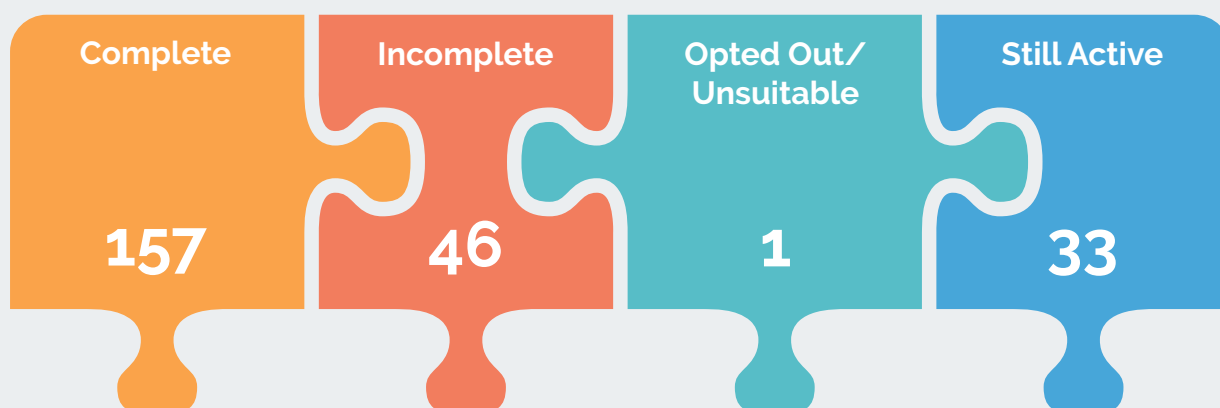


Offences before the Court

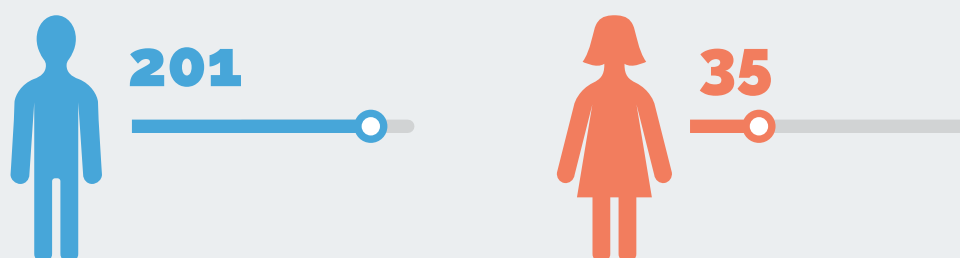


Note: CCJ is abbreviation for Courts of Criminal Justice

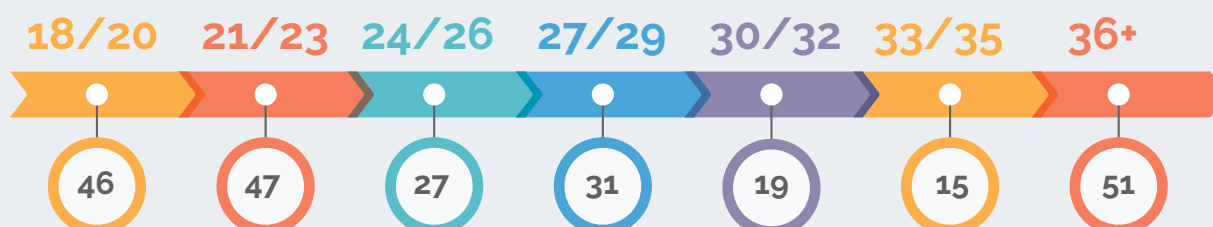
Completions



Gender

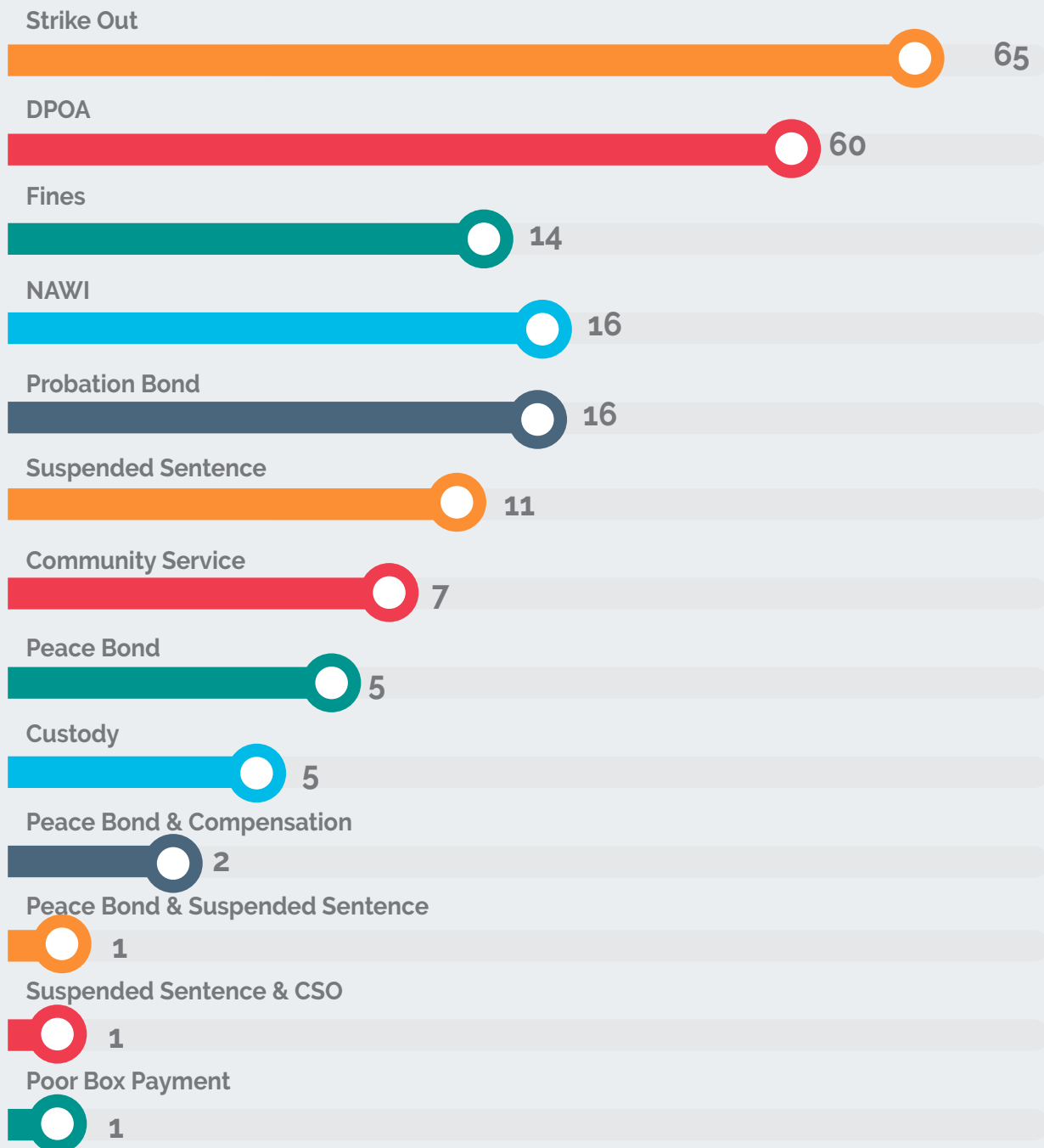


Age Demographic



Note: Still Active refers to cases referred in 2018 that remain active at time of publication.

Sanction – Court Outcomes



Note 1:

Sanction may include more than one component
e.g., a Probation Bond may be accompanied by a fine.

Note 2:

DPOA = Disposal Under the Probation of Offenders Act 1.1 (1907)
NAWI = Non Appearance Warrant Issued

Charitable Donations and Compensation

Compensation	€7,033
Irish Cancer Society	€1,540
Pieta House	€1,375
St Vincent De Paul	€1,140
Alzheimers Society	€950
Peter McVerry Trust	€730
Focus Ireland	€700
Simon Community	€680
Aware	€650
Barnardos	€500
Merchants Quay Project	€580
Temple Street Hospital	€570
Dogs Trust	€500
CARP	€500
Jigsaw	€300
Our Lady's Hospice	€300
Tiglinn	€300
Our Lady's Hospital	€300
Irish Guide Dogs for the Blind	€250
Court Poor Box	€250
Asthma Society	€200
Bray Community Addiction	€200
Cancer Support	€200
Childline	€200
Teach Mhuire	€200
Finglas Addiction	€200
Cappuchin Centre	€150
Childline	€150
Coolmine	€150
Cystic Fibrosis	€150
Immigration Council of Irl	€150
Irish Kidney Association	€150
Pediatric Diabetes	€150
RNLI	€150
St Francis Hospice	€150
Spinal Injury's Irl	€150
Crosscare	€100
Cuan Mhuire	€100
Downs Syndrome Irl	€100
Eplipsy Irl	€100
Greenhills Walkinstown Resource Centre	€100
Enable Irl	€80
Call of Hope	€60
Penny Dinners	€50
Gavin Glynn Foundation	€40
Total	€22,578

Note: A charitable donation is a common element within an Offender Reparation Contract

Victims of Crime - Contacts & Participation

It is a practice and policy of Restorative Justice Services to examine each referred case to establish if there is an identifiable victim. Where there is an identifiable victim the possibility of facilitated dialogue or contact between offender and the specific victim of crime can be explored. This means that when a Reparation Panel meets with an offender to discuss and agree a contract of reparative actions (see page 22/23) they discuss with the offender the possibility of some form of mediated dialogue or contact with the victim.

If the offender is open to participating in such a process, the action is recorded in the contract on the understanding that participation in such a process is entirely voluntary for both parties.

The service then establishes contact with the victim to ascertain if they wish to participate in the restorative process. There are a number of mediated dialogue and contact options available. All options are discussed in full with the victim and the necessary time is provided to allow the victim make a considered decision.

The offender may also be provided with an opportunity to meet with a representative of Crime Victims Helpline (CVH) www.crimevictimshelpline.ie. The CVH representative can provide a victim perspective which informs the offender on how a particular offence i.e., assault, theft, can negatively impact on a person who has been a victim of a crime.

In cases where the victim is a commercial entity, retail outlet or business, the offender may be provided with an opportunity to meet with a representative of Dublin Town www.dublintown.ie, an umbrella information and support organisation for the business community. The Dublin Town representative can inform the offender on how particular categories of offences, i.e. fraud, shoplifting, can negatively impact on businesses who have been a victim of crime. Similarly, representatives of community and public facilities, such as schools and parks may also be available to meet with an offender.

Eileen Brady – Crime Victims Helpline Volunteer and RJS Director

My role in the Restorative Justice process is to meet the court referred client, at the request of the RJS Caseworker, when a contract includes a need for the offender to gain a more in depth understanding of the possible impact on victims of the crime committed.

In the first instance the possibility of a facilitated dialogue through the process of Victim / Offender Mediation is explored with both parties. A Crime Victims Helpline volunteer will be requested to meet the offender if either of the parties decline, as is their right, or the appropriate conditions do not exist for such a dialogue to happen, or it is considered that an offender could benefit from a meeting with a CVH volunteer in advance of entering any facilitated dialogue with their victim.

Because of my experience as a volunteer with Crime Victims Helpline, I try to build on the work done by the RJS Caseworker and the Reparation Panel members by giving examples of the effect of similar crimes on people who have contacted Crime Victims Helpline. The less obvious effects of a crime can be the most impactful for the client e.g. the effect on children can be very powerful where he/she is a parent; the impact of a crime where an onlooker was previously a victim of a similar crime is often not appreciated; how an employee may be effected, even financially, by shoplifting.

These are topics which can give a broader perspective on the harm done to a wide range of people as a result of different types of crime. At the end of our meeting clients are usually very happy to consider using what they have learned from the RJS process to influence their friends to make different choices.

The impact of some of the actions agreed as part of the Reparation Contract can be very obvious during our meeting. Anger Management Courses have been mentioned by a number of clients as having changed their attitude to problem solving. In a number of instances clients have said that they realised for the first time in their lives that there was another way of solving conflicts other than shouting, being aggressive or even becoming violent.

Many of the clients I have met have felt this particular action has been of significant benefit and in some instances talk about "passing on the notes" to a friend who they felt could equally benefit or talking to their children to help them acquire the skills to equip in times of conflict and challenge.

These can be life changing lessons for the client and their wider circle and in my opinion highlights one of the true values of the restorative justice process.

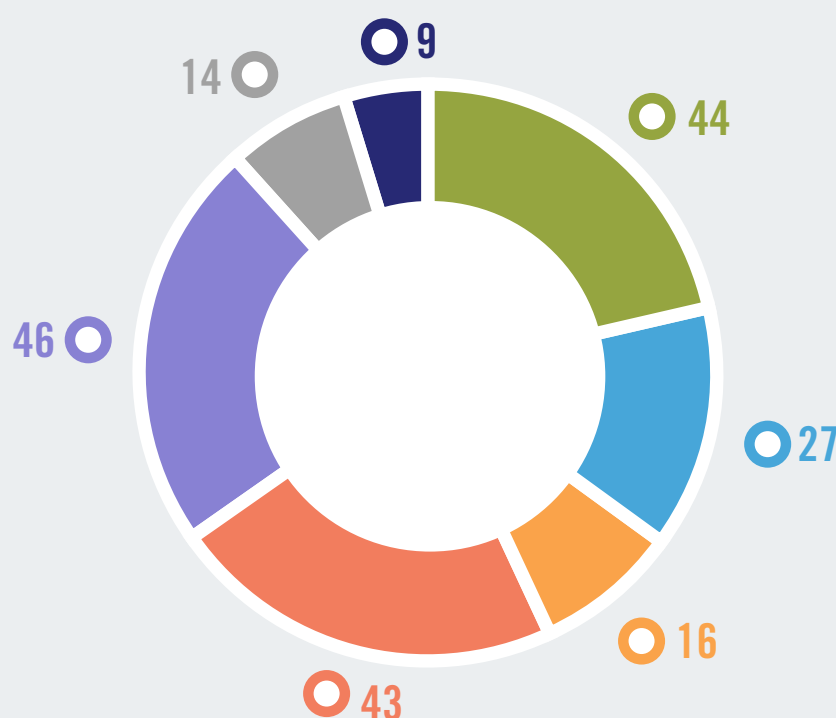


Crime Victims Helpline volunteer Eileen Brady and Callie Zinsmeyer RJS, meeting with a client.

Victims of Crime - Contacts & Participation

A total of 143 cases referred in 2018 were identified as having a direct identifiable victim. 101 of these cases were deemed suitable for the possibility of some form of facilitated dialogue or contact between the offender and the injured party. Of these cases ...

- 43 cases utilised a form of mediated dialogue.
- 27 utilising Shuttle Mediation, i.e., communications carried verbally back and forward between victim and offender by RJS Caseworkers
- 16 utilising Victim / Offender Mediation, i.e., joint meeting between the parties
- 44 letters of apology were provided to injured parties
- In 46 cases the offender met with an representative from Crime Victims Helpline
- In 14 cases the offender met with an representative from Dublin Town
- In 9 cases compensation was paid by the offender to a victim of crime



Note 1: The specific actions above are not necessarily exclusive to a particular case, e.g., a victim of crime might meet an offender and also accept a written letter of apology.

Note 2: It is important to state that on occasion we are advised by the victim at point of referral that they do not wish to be contacted.

Note 3: Offenders may be deemed unsuitable for participation in a restorative process or may chose to opt out of the restorative process.

Observation and Comment from Stakeholders, Partners and Participants

Claude Delaney, Reparation Panel Chairperson.

My experience in the role of Offender Reparation Panel Chair over the past 3 years has been both positive and informative. It has facilitated my gaining further knowledge and understanding of restorative justice practice and its potential to further support and develop the criminal justice system in Ireland.

Restorative justice views crime as causing harm to individuals and the wider community in addition to breaching criminal law and as such the response should address both the harm done and the criminal offence. The Offender Reparation Panel (ORP) model is focused on repairing the harm caused by the crime and takes into account the impact of the offence on the victim, the offender, family members and the wider community. In doing so, it seeks to empower the victim and the wider community while also providing an opportunity for the offender to take responsibility and make reparation for the harm done.

The Reparation Panel meeting brings together the offender, the RJS caseworker, probation officer, member of the Garda Síochána and a chairperson /community representative. During these meetings the facts and surrounding circumstances of the offence are explored as are the consequences for those affected. Where appropriate an agreement is drawn up between the panel members and the offender which sets out the actions to be undertaken by the offender prior to final hearing before the court. i.e. while the court refers cases to the ORP, it retains ultimate power in respect of the final sanction to be imposed.

I believe that restorative justice – and the Offender Reparation Panel model in particular – provides the criminal justice system in Ireland with an effective and additional approach to dealing with crime. It should be further expanded and appropriately resourced so that persons across the state have equitable access.

Anna Gallaher – Probation Officer

I am a Dun Laoghaire based Probation Officer who has been involved in Restorative Justice since 2009. I sit on the Restorative Panels twice a month and I believe my participation hugely enhances my own practice in my job as a Probation Officer. The theory behind Restorative Justice looks at the harm done and it is really interesting to tease out the effects an offence can have on the community-like ripples on the water!! A seemingly harmless offence such as graffiti (criminal damage) can result in less funds for community resources such as play schools, community rooms or other support services. This in turn affects everyone, often the offender and his/her family, something clients don't always think of before going in to the Panel. It is really valuable to explore the effects in the respectful and reflective environment offered by the Panel. I often find that I use the restorative practice in my regular work with clients placed on a Probation Bond. I have even caught myself using it at home with my teenage children!!

The inter agency work between the Restorative Justice Project, the Probation Service and An Garda Síochána is both interesting and productive in that it highlights the core of our work in addressing the offence and the circumstances of the offence. For many of the clients this is the first time they have been given the opportunity to "tease out" their actions in a calm and structured way that in no way minimises the harm done by them. The very practical actions put down in a

contract hands power to the clients and is really positive for their own feeling of participation in the process, the "owning" of the reparative process.

In my experience, very few clients are unable to repair the damage done by their actions regardless of their own needs for support and/or rehabilitation. In other words, even if their own lives are messy and difficult most people have the ability to restore and repair the harm done to others-a powerful process indeed!!

Two more points that I want to draw attention to are the wealth of experience the volunteer Community Chairs bring to the table as well as the powerful accounts of their difficult work environment the Gardai bring to the process. In all panels I sit on we have significant moments of growth and shift in attitude.

Finally, I must make special mention of the entire RJS team who have worked hard to create a very safe and respectful cultural and environment at their new premises and who carry out their work with the people directly affected by crime, victims and offenders, in such a professional, considered and restorative manner.

Michael – A victim of crime

Participating in the restorative process provided by the court and facilitated by RJS, made it possible for my family to live our lives in a normal fashion again. The agreement and outcome mediated by RJS allows us to live in peace and without interference from the other party involved. The hard work and effort of the RJS personnel was greatly appreciated by myself and my family.

Sean Cullen H.S.E Rehabilitation Integration Officer.

I have been facilitating awareness talks for RJS since June 2018. My role is to raise awareness among programme participants about the effects of alcohol and illicit drug use. My goal is to provide education and information about the how use of these substances' can affect their social circumstances, behaviour, health and mental health. I discuss how the purchase of illicit drugs is contributing to gangland violence and its impact on society.

I point out the health implications of alcohol and non prescribed street drugs and how they affect the person. In addition to this I try to inform individuals the impact their drug/alcohol use can have on the family as well as well as their education and careers. By highlighting these issues I hope individuals will make better and healthier choices in the future. The Restorative Justice Program gives me the opportunity to provide an early intervention and provide information which may ultimately lead to individuals leading healthier and more productive lives.

Karen Daly - RJS Case Worker

I have been working as a Case Worker for Restorative Justice Services for over a year now and in this time I have learned a lot from working with both the victim of an offence and the offender. By choosing to participate in the restorative programme victims are given an opportunity to have their voices heard, within a safe and non threatening space. Offenders have the opportunity to demonstrate to the victim, their own family and the wider community that they are making genuine efforts to repair the harm they have caused. As a case worker I have the privilege of listening to victims

Observation and Comment from Stakeholders, Partners and Participants

speak about the hurt they experienced at the time of the offence and in some cases identify the actions the offender could take to assist them with healing and closure. This process can empower them and assist them to walk away from the label of victim.

Working in a restorative context with people who have offended has provided me with an opportunity to afford them the possibility of repairing the harm caused and desist from further offending in the future by accessing various supports where they can learn and gain different skills and knowledge that will help them move forward in a really positive way with their lives.

Sgt David Cryan Community Police Sergeant Bridewell, Dublin 7

I have been sitting on the Restorative Justice panel now for over 2 ½ years and I have enjoyed every panel I have sat on. I really do believe for certain offences this is the best approach that should be taken. As the Community Sergeant in the Bridewell Garda station I see at first hand when harm is caused in a community. And I really feel a different approach is required to give the Community and the injured party a voice so some of this harm can be repaired.

I believe the combination of the panel, i.e., An Garda Síochána, Probation Service and the Community Chair bring a considered balance to a panel which takes everything into account. The RJS Case Worker works with the offender facilitating their participation and briefing the panel members as appropriate.

One of the more transformative pieces is that it's probably the first time the offender is asked to look at their own actions and what harm it has caused to other people. I have been on panels and got great satisfaction when offenders demonstrate a real understanding of the impact of their actions and their desire to repair the damage to the community. I feel the injured party is taken into account as well as giving the offender an opportunity to right the wrong that was done and to move on with their lives without ruining other opportunities that may arise in their lives.

I would be a big believer in Restorative Justice and I use it in my day to day work trying to solve issues within my community. I enjoy sitting on the Reparation Panel and feel that a positive difference can be made for the injured party, Community and the Offender and I would be a big advocate for this approach. I look forward to continuing my work on the Panel into the future.

Brendan – Offender Reparation Programme participant

My name is Brendan. In 2018 I was arrested and charged with possession and distribution of cannabis and cocaine. It was the moment my life changed forever. My family were devastated and I was scared, sorry and worried about my future. I deeply regretted what I had done.

I appeared in court and the Judge referred me to the Offender Reparation Programme instead of a 3 month prison sentence. I met my Case Worker Karen at the Restorative Justice Services offices on Merchants Quay in Dublin and she gave me an overview of the Offender Reparation programme. She was engaging and approachable, not what I was expecting at all. I thought I would be treated harshly and with judgement but that was never the case. During the programme I learned more about the consequences of my actions.

I attended a Drug Awareness Programme and I did voluntary work in Teach Mhuire, a voluntary service that help feed the homeless people around Dublin many of whom have addiction issues. The voluntary work was organised by Karen and it gave me good insight into the damage drugs can cause to people. During the programme I had a meeting with a Community Garda and a social worker from the HSE. I completed a reflective piece and a letter of apology. This gave me time to reflect on my past behaviour so I could amend it.

The Restorative Justice team were very supportive and I really felt they wanted me to learn from my mistakes and it gave me a fresh start. I could contact them at any time with any questions or concerns which was a huge help during a very stressful time. I feel the Restorative Justice Programme was a very positive process and I was very lucky to have been offered it. It gave me the opportunity to learn from my mistakes and to really turn my life around for which I am very grateful for.

Garda Susan Lawlor - Community Policing Garda, Pearse Street Garda Station and Reparation Panel Member

I had been aware of the Restorative Justice Reparation panels for some time but have only been a panel member for the past year and a half. The majority of cases I have come across have seemed quite suitable and most offenders are genuine and wish to participate. Many of the offences referred would be considered minor offences and those present have usually not been largely involved with the Criminal Justice System.

I consider the dynamic of the panel to be constructive with the Gardaí, the Probation Service and the Community all being represented. I have found the meetings to be positive with each party having equal input and also having a different perspective of the situation(s) at hand. I think it is also beneficial that the offender has the opportunity to ask questions that were not previously answered. I believe that one of the more positive elements of the panel is watching participants come to the realisation that they may have carried out their actions due to an issue that needs to be addressed, e.g. addiction issues, anger issues, etc., and deciding to take action and deal with same.

As mentioned, the majority of offenders are willing to engage with the panel and have had time to reflect on the incident and time to think of how to mend some of the harm caused. That said, it can be discouraging to sit at a table with someone who has multiple previous convictions and the likelihood of recidivism is high. I believe this aspect of the programme should be addressed within the context of a formal evaluation.

Overall, I believe the RJS reparation panels are of benefit to those who are willing to participate fully. I also think the Criminal Justice System benefits from RJS as the majority of offenders are less likely to come before the courts again.

Gary – Offender Reparation Programme participant:

I really think the programme gave me a chance to change and think about the consequences of my actions. I'm very lucky I was given the programme instead of a criminal record and worse. Meeting the Garda Member from my case was very helpful and gave me a lot of insight into their view on the night's events. It was nerve wracking going in to meet the Panel, but it was worth it in the end.

Role of the Reparation Panel Community Chairperson

A personal perspective – Mary Shine Thompson



I have been a voluntary community chair of Restorative Justice Offender Reparation Panels (RJORP) and Restorative Road Safety Programme Panels (RSPP) since 2017. The RJORP panel generally consists of a Probation Officer, a garda and a community chair, unlike the RSPP, which

generally only consists of the chair working with the RJS Caseworker and client.

Process

The purpose of panels is to facilitate offenders in

- identifying the full extent of the damage their offending behaviour caused to individuals, relationships and wider society
- establishing how they might make amends for the damage, and thereby move towards their reintegration into society and their avoidance of crime in the future.

The chairperson's remit is

- to ensure that reparation panels follow established procedures
- ensure that these procedures reflect the values of the Restorative Justice process.

A chairperson must

- ensure procedural fairness
- manage the agenda and time
- manage the dynamic of the meeting, including the resolution of conflicts and the maintenance of respect for the human dignity of the offender
- facilitate the best outcome, taking account of the unique circumstances of each case.

A priority for the panel is to ensure that the needs and interests of victims and offenders are treated equally.

- to ensure that a fair, realistic reparation agreement / contract, based primarily on the offender's ideas, is reached, and
- to assess (at a final panel meeting) whether the offender has successfully completed such an agreement and gained some insight from the process.

The approach is inclusive. Panels focus on eliciting from offenders, through focused and mutually respectful, constructive exchanges, the full extent of the harm done and the full range of people harmed, so that a common understanding can be reached on how to repair the damage which the offence caused, and how to restore the balance of justice.

The experience

My experience as chairperson has been humbling, profoundly educational, rewarding and not without its challenges.

I have witnessed the professionalism and commitment of those involved and their understanding of victims' and offenders' vulnerability. I am struck by the honesty of many offenders and the desire of the majority to make reparation, often in the context of personal struggles. I value the mentoring of other chairs and of the entire team. The process has been inclusive, democratic and collaborative.

I believe that the Offender Reparation Panel offers offenders a narrative of hope, positivity and optimism, and helps them identify role models other than those that led them into crime in the first instance. It can provide a vocabulary and an enabling framework for structuring their responses to their actions.

However, the chair's role presents challenges: how best, for example, to respond to an offender who shows little or only superficial insight into the gravity of their offence. Or when offenders should present again for a 'first' panel, thereby extending the process and necessitating a court adjournment. Major challenges to a chair include recognising the limits of the capacity of some offenders to understand and participate meaningfully in the process; and identifying when the process cannot meet their needs.

A Chair may have to grasp that while an offender may have the cognitive capacity to understand issues, their ability to express themselves might be problematic. Another challenge is how to address panel members' reservations as to whether an offender is expressing true remorse.

Once a panel decides that the process is suitable for the client, the chair must record in plain language a contract that is proportionate, feasible, suitable to the client's skillset, and from which the offender may derive affirmation.

I have noted that the process of an offender coming to recognise the full impact of their offence is a matter that cannot be rushed.



Reparation Panel Members, volunteer Community Chair, Mary Shine Thompson, Probation Officer, Claire McNamara, Gda. David Irwin

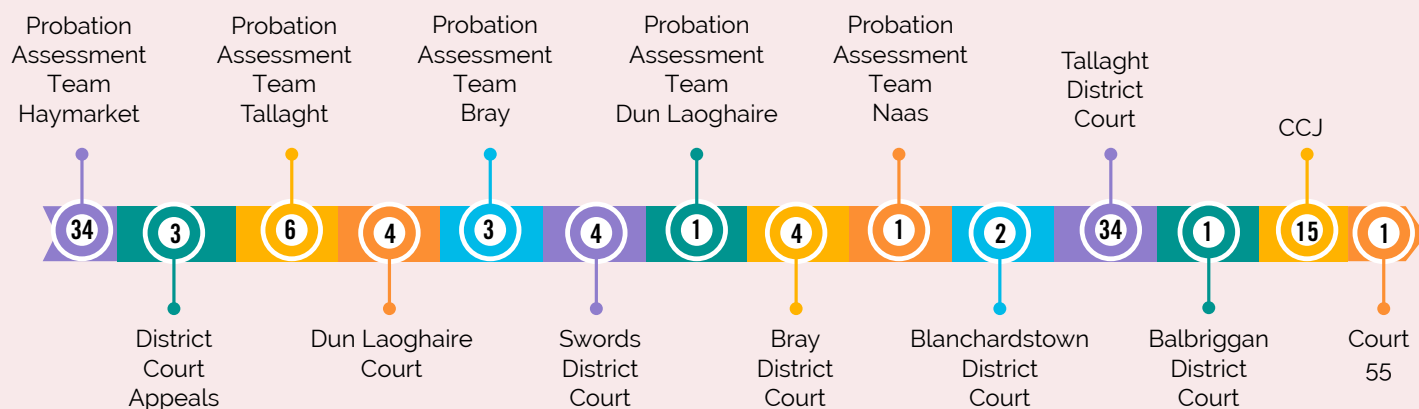
Restorative Road Safety *Pilot* Programme

Statistics for 2018

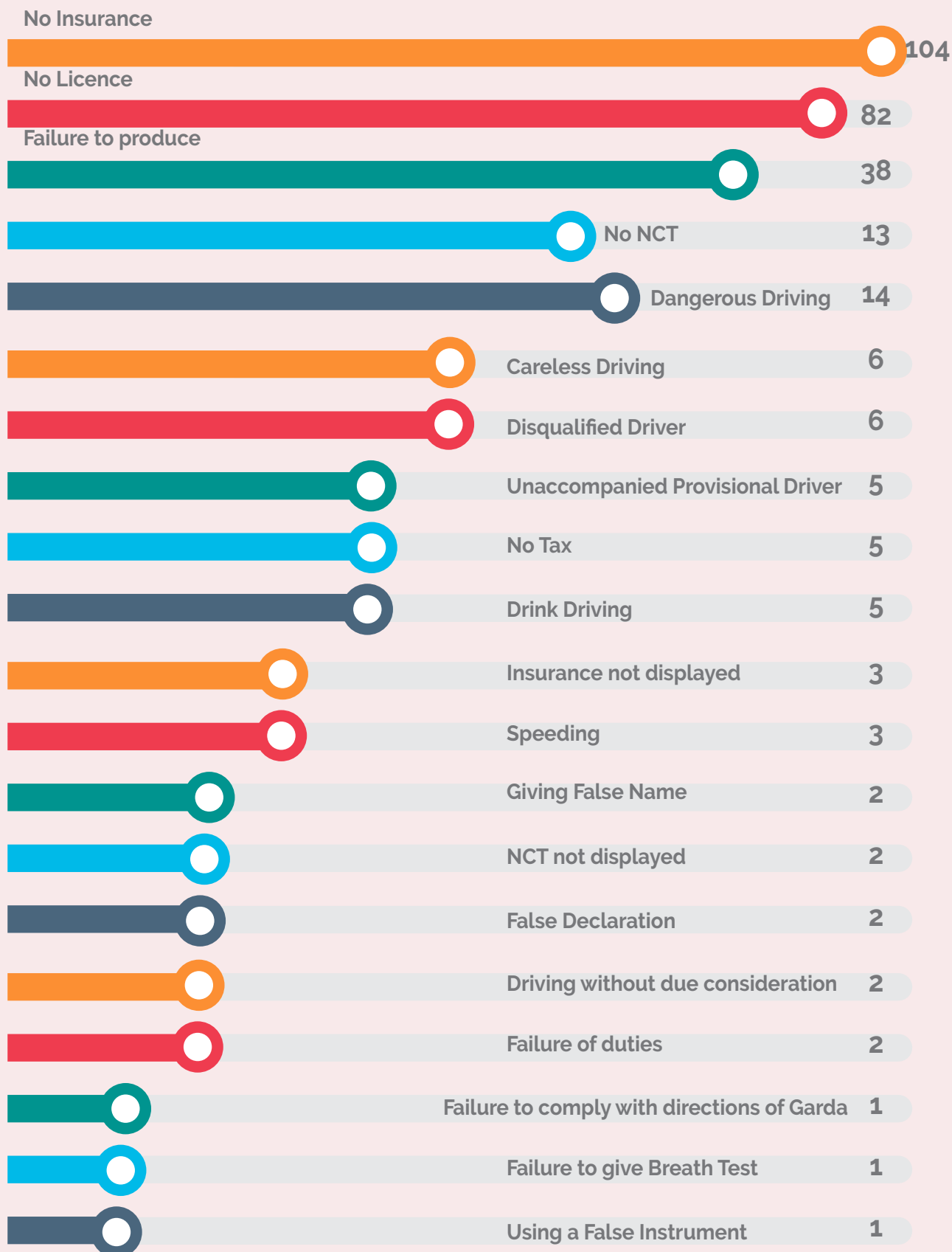
Cases Referred in 2018

131 cases

Source of Referral

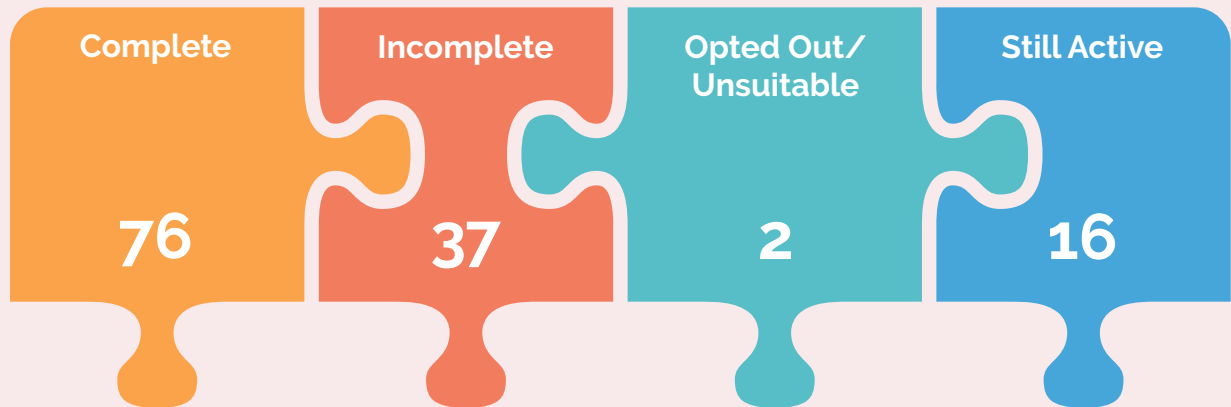


Breakdown of Road Traffic Offences

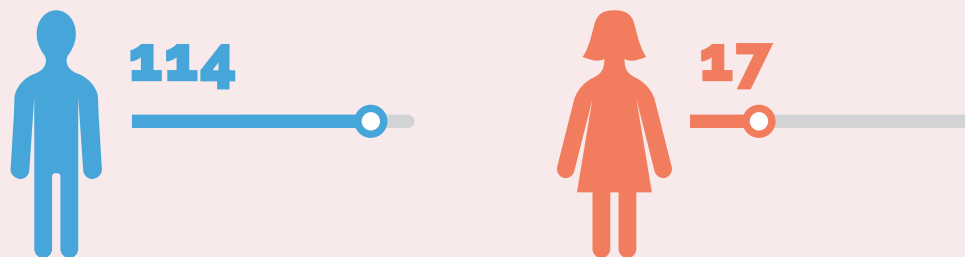


Note: Referrals can often carry more than one listed offence.

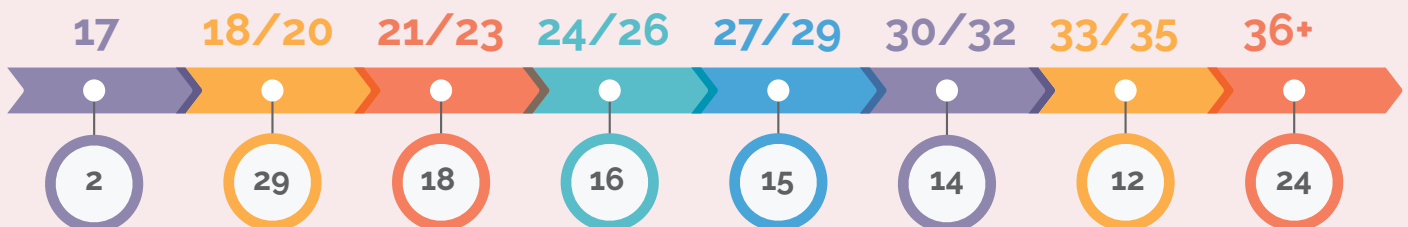
Completions



Gender

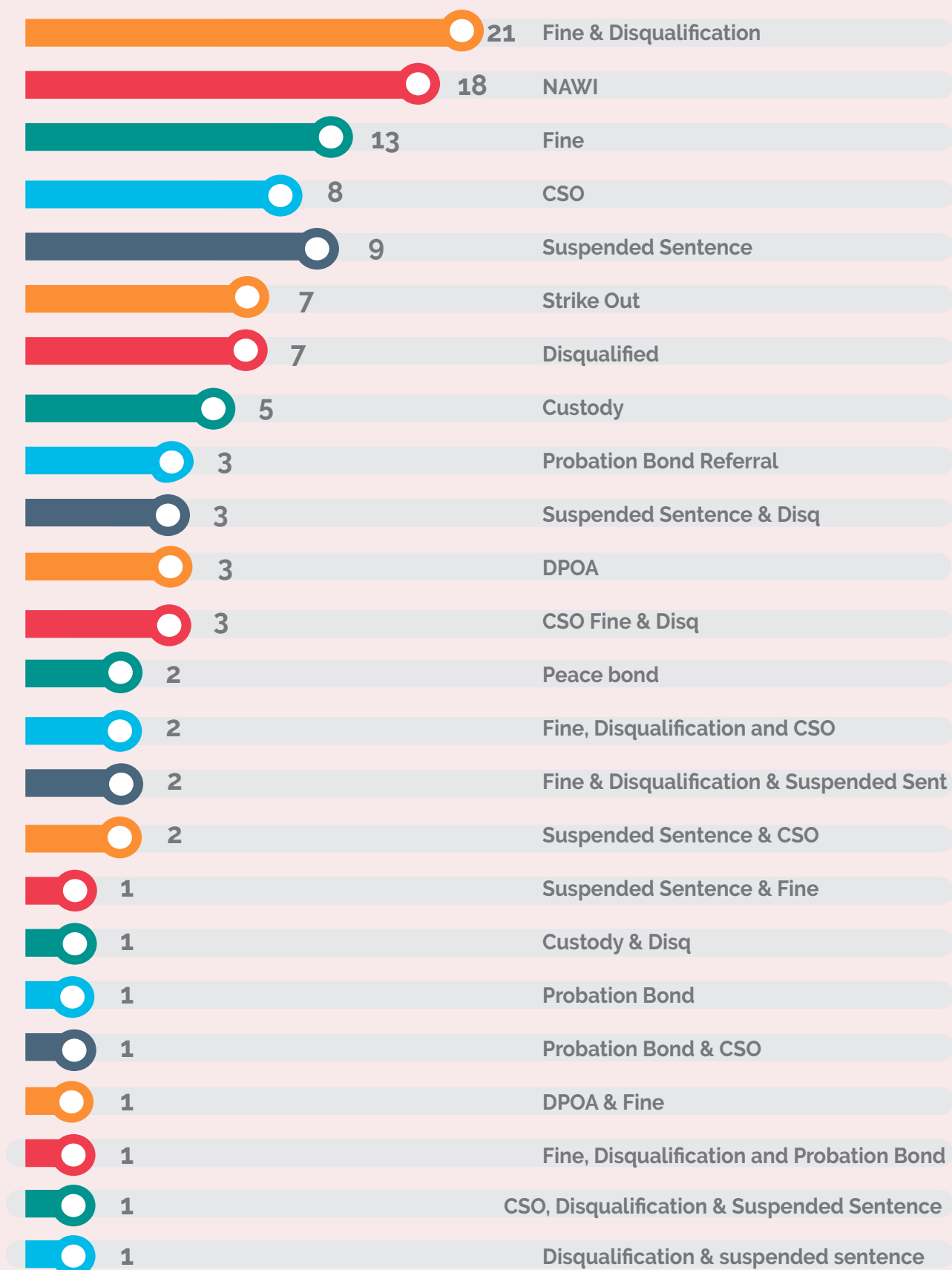


Age Demographic



Note: Still Active refers to cases referred in 2018 that remain active at time of publication.

Sanction – Court Outcomes



Note 1: In these cases the referral was included as part of a Probation Bond directed by the Court or supervising Probation Officer.

Charitable Donations

Our Lady's Hospital Crumlin	€1,460.00
NRH	€1,440.00
Irish Cancer Society	€940.00
Peter McVerry Trust	€500.00
Pieta House	€400.00
Merchants Quay Project	€340.00
Tallaght Hospital	€310.00
Our Lady's Hospice	€300.00
National Children's Hospital Temple St	€250.00
Bubblegum Club	€200.00
Chamber House	€200.00
First Light	€200.00
St Francis Hospice	€200.00
Tallaght Youth Services	€200.00
Ballyfermot Centre for Children	€150.00
Jack & Jill	€150.00
Make a Wish	€150.00
Rock of Ages	€150.00
Cancer Research	€100.00
Diabetes Irl	€100.00
Five Loaves	€100.00
RMCH	€80.00
St James Hospital	€75.00
Childline	€60.00
Blue Cross	€60.00
Coolmine	€50.00
Focus Irl	€50.00
HOPE	€50.00
Irish Kidney Association	€50.00
St John Of God	€50.00
St Vincent de Paul	€50.00
TLC Centre	€50.00
Trocaire	€50.00
First Light	€30.00
DSPCA	€25.00
Mater Hospital	€25.00
Simon	€25.00
Total	€8,620.00

Note: A charitable donation is a common element with the Restorative Road Safety Programme.

Victim / Offender Mediation Leaflet



*Providing Restorative Responses
to Crime*

Victim / Offender Mediation

Restorative Justice Services

Marshalsea Court,
Merchants Quay,
Dublin 8

Tel: 01 – 672 4446 / Fax: 01 – 672 4452

e-mail: office@rjs.ie

web: www.rjs.ie

About the Service

Restorative Justice Services is a restorative justice initiative managed by a partnership of stakeholders in the criminal justice system. The Probation Service, An Garda Síochána, Crime Victims Helpline and Community advocates.

We provide voluntary, safe, non-threatening, facilitated restorative justice programmes for people who have been affected by crime.

Our work is mainly referred to us from the Courts before a formal sanction is imposed.

We have also worked on cases that have already been dealt with by the Courts in a *post sanction* context.

If you have been affected by crime and believe we may be able to assist in some way, please contact our offices. Your call will be treated in the strictest confidence.

Restorative Justice Services

Tel: 01 672 4446 – email: office@rjs.ie



... Working in partnership...

The Courts

The Probation Service

Crime Victims Helpline

The Community

An Garda Síochána

**The Criminal Justice
(Victims of Crime) Act 2017
confirms the right of a victim of crime to
receive information on
Restorative Justice**

What is Restorative Justice?

Restorative Justice is a way of responding to crime, which allows the people directly affected have a say in deciding how the harm caused might be repaired.

Restorative Justice believes that

- Crime hurts victims and their families
- Crime also affects the offender, their family and the wider community
- The victim's voice needs to be heard
- The offender should accept responsibility and make an effort to repair the harm caused

Victim / Offender Mediation

Victim / Offender Mediation provides a safe, non-threatening forum for victims to directly or indirectly communicate with an offender.

This model is particularly designed to meet the needs or concerns of the victim, while also increasing the offender's awareness of the impact of their behaviour on the victim.

Key Elements of Victim / Offender Mediation

The Court refers the case to RJS before final sanction is decided. The offender must have entered a plea of guilt or is accepting a finding of guilt by the court.

Victim and offender are contacted and separate contacts and meetings are held to discuss their interest, concerns, rationale and motivation.

If the appropriate conditions exist and both parties are agreeable, a mediated communication can take place. This can take place using verbal or written communications carried by our service or a meeting can be arranged between the victim and offender, facilitated by RJS Case Workers.

An offender may also be referred to a Reparation Panel to address issues of personal responsibility, affects of offending behaviour, and pro social choices into the future.

At the next Court date a report is provided by **RJS**, outlining the main points of any contacts, discussions, meetings, or agreed outcome with the Victim and / or any agreed actions arising from a meeting with a Reparation Panel.

The Court retains the final decision on sanction.

How can it help?

Victims ...

can tell their story, talk about the impact of the crime

seek apology and reparation from the offender

seek further information or raise issues of concern directly related to the offence and the offending behaviour

express their feelings and voice their anger and / or frustration

seek commitments from the offender on future behaviour or contact

Offenders ...

May be challenged about their behaviour by their victims and / or victim advocate

can provide victims with further information on issues relating to the offence

offer apology, pay compensation and / or undertake acts of reparation as agreed by the victim

give assurances and commitments to the victim with regard to future behaviour

demonstrate to their victim, the Court, their family and community their desire to make amends, desist from further offending.

are encouraged to make choices that will assist them make more informed decisions in the future.

may be asked to meet a Reparation Panel

Reparation Programme Leaflet



Providing Restorative Responses to Crime

The Offender Reparation Programme

developed & delivered in partnership with

**The Courts
The Probation Service
Crime Victims Helpline
An Garda Síochána
The Community**

Restorative Justice Services
Marshalsea Court,
Merchants Quay, Dublin 8

Tel: 01 – 6724446 / **Fax:** 01 – 6724452

e-mail: office@rjs.ie / **Web:** www.rjs.ie

How does it work?

Cases for restorative justice are referred by the Court to RJS at *pre - sanction* stage. The Judge, or any of the parties relevant to the case, may put forward the proposal to have the matter adjourned and then referred to RJS.

If there is an agreement to make the formal referral the Judge will adjourn the case to a later date.

The relevant information will then be passed on the Restorative Justice Services.

The person before the Court will then be invited to meet with a Case Worker from Restorative Justice Services and then attend a Reparation Panel meeting.

The Reparation Panel Meeting

The Reparation Panel meeting is chaired by a representative of the community. Also in attendance is a Probation Officer and a member of An Garda Síochána. The RJS Case Worker also attends. All the parties present will discuss and agree certain reparative and restorative actions that could be undertaken to try to repair the harm. The actions will be written up on what is called a Reparation Contract.

Reparation Contract Actions

In offences where there is an identifiable victim, the first item on the contract will be to explore the possibility of a Victim / Offender Mediation process.

Other actions could include

- Letter/s of apology
- meeting with a victim advocate
- voluntary work, charitable donation
- attendance at anger management, alcohol / substance abuse education, written reflections

Completion of the contract actions

On completion of the 'contract' there will be a 2nd Reparation Panel meeting to review and discuss what progress has been made on the agreed actions and to reflect on the learning.

A report is then submitted by RJS in time for the next Court date, outlining what has been undertaken, achieved, completed and / or requesting more time.

When the case goes back to Court

The Judge will read and consider the report, which will include a copy of the agreed contract, any letter of apology, record of any meetings attended with the victim and / or others, any written reflective work, confirmation of any charitable donation, and any other agreed actions.

Court Sanction

The presiding Judge may, when deciding on sanction, take into account the efforts made to address the consequences of the offending behaviour as well as any efforts made to make amends to the victim and / or community.

Restorative Justice Services

Restorative Justice Services is an independent, voluntary organisation, providing restorative justice interventions to the courts at *pre-sanction* stage.

The service is managed by a partnership of stakeholders in the criminal justice system

- Probation Service
- Community Representatives
- Crime Victims Helpline
- An Garda Síochána

What is Restorative Justice?

Restorative Justice is a way of responding to crime, which allows the people directly affected have a say in deciding how the harm caused might be repaired.

Restorative Justice believes that ...

- crime hurts victims and their families
- crime affects the offender - their family, and the wider community
- the victim's voice should be heard
- the offender should accept responsibility and make an effort to repair the harm caused

Objectives of The Reparation Programme

- to repair the harm, in so far as possible, caused to a victim and / or wider community
- to reduce the risk of reoffending by participating offenders

This could be achieved by

- providing victims of crime opportunities to participate and / or contribute to a restorative process
- raising awareness and understanding of the offender with regard to the consequences of their actions
- the offender undertaking acts of reparation and where relevant, addressing the issues raised by the victim and / or community via facilitated contacts and meetings
- encouraging reflection and facilitating change in decision making and choices made by the offender

Referral Criteria and Guidelines

- Formal referral to the Reparation Programme is at the absolute discretion of the presiding Judge
- To qualify for referral to the Reparation Programme an offender must meet the following criteria

- The Offender must be fully accepting guilt and responsibility for the offence before the Court. There must be no ambiguity in this regard.
- Be open to participating in safe, non - threatening, facilitated communication and / or a meeting with those directly / indirectly affected.
- Be willing to gain insight and attain an understanding of the consequences of the offending behaviour and its impact on those affected
- Be open to repairing the harm

Online links

to agencies, legislation and recommendations referenced in this report, which can be accessed at www.rjs.ie

An Garda Síochána.....	www.garda.ie
AWARE.....	www.aware.ie
Bray Community Addiction Team.....	www.bcat.ie
Capuchin Day Centre for the Homeless.....	www.capuchindaycentre.ie
Council of Europe Recommendations (CM/Rec(2018)8) on Restorative Justice in Criminal Matters https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016808e35f3	
Courts of Criminal Justice Complex.....	www.courts.ie
Criminal Justice (Victims of Crime) Act 2017 http://www.irishstatutebook.ie/eli/2017/act/28/enacted/en/html	
Crime Victims Helpline.....	www.crimevictimshelpline.ie
Crosscare.....	www.crosscare.ie
Dublin Town.....	www.dublintonline.ie
Dun Laoire Community Addiction Team.....	www.dlrcat.ie
European Forum for Restorative Justice.....	www.euforumrj.org
Focus Ireland.....	www.focusireland.ie
Greystones Tidy Towns.....	www.greystonestidytown.ie
Headway.....	www.headway.ie
Health Service Executive.....	www.hse.ie
Pieta House.....	www.pieta.ie
Peter McVerry Trust.....	www.pmvtrust.ie
Probation Service.....	www.probation.ie
National Museum.....	www.museum.ie
National Rehabilitation Hospital.....	www.nrh.ie
Retailers Against Smuggling.....	www.retailersagainstmuggling.ie
Simon Community.....	www.simon.ie
Teach Mhuire.....	www.volunteering.force.com
Victim Support at Court.....	www.vsac.ie
Westmeath Volunteers.....	www.volunteerwestmeath.ie



RESTORATIVE
JUSTICE SERVICES

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